

## DISTRICT COURT (THIRD DISTRICT : SALT LAKE COUNTY) [1688]

### MISCELLANEOUS CASE FILES, 1940#1992.

20 reels of microfilm

**DESCRIPTION:** The case files are a collection of all documents and actions filed with the court clerk in connection with individual court actions. They provide documentation of the proceeding from initial filing through disposition or dismissal. Such papers and actions include petitions, notices, and applications initiating the court action, waivers and documents consenting to extradition, depositions relating to cases pending in out-of-state courts, inquests into the deaths of Salt Lake County residents, relinquishment of newborn children for adoption, releases signed by unmarried, pregnant women agreeing to a financial settlement and freeing the alleged fathers from further financial responsibility, court-ordered sterilization of mentally retarded individuals, letters, transcripts, exhibit documents, subpoenas, notices, invitations to judges of other district courts to sit in Third District Court, requests to appoint individuals as a judge pro tempore in order to perform a marriage ceremony for friends, and judge's orders or decrees including approval of newspapers for publication of legal notices, approval to dispose of accumulated evidence, and an order sealing adoption orders.

Records and documents pertaining to a particular action are filed together by the court clerk, who is required by the Rules of Civil Procedure to file pleadings and other legal papers. Collectively they constitute the case file. Case numbers are assigned by the court when papers are initially filed with the clerk. The case files document the legal process and the administration of justice in conjunction with miscellaneous cases that do not involve a hearing and generally need only the formality of a judge's signature for approval and thus take up little judicial time. Ex parte proceedings are common. These records are distinguished from series 1622, CIVIL CASE FILES (1896#present), which involve disputed cases wherein issues are more complex and proceedings more protracted.

**ARRANGEMENT:** Since the addition of an alphanumeric prefix in 1977 (the letter "M", designating it as a miscellaneous case file, combined with a two-digit number indicating the year the action was begun), the arrangement has been chronological by calendar year, thereunder numerical by consecutive case number, i.e., M77-142. Documents within individual case files are arranged chronologically by filing date.

Cases were originally arranged chronologically by initial filing date. As documents were filed, an entry was made in the MISCELLANEOUS FILE REGISTERS OF ACTIONS. As a reference, the volume and page number of the entry was then noted on the document filed. Several distinct cases generally appear on each page with all cases bearing the same volume and page number.

**RESEARCH NOTE:** Researchers should first consult the finding aids to determine the case number or volume and page number.

**RELATED RECORDS:** As miscellaneous cases were filed with the court clerk, they were recorded in the MISCELLANEOUS FILE REGISTERS OF ACTIONS (1925#1977), series 14157, which serves as an index to the early part of the series. Other indices to the series include the MISCELLANEOUS ALPHABETIC INDEX (1977#1992), series 14158 and the MISCELLANEOUS NUMERIC INDEX (1977#1988), series 14159. Cases sealed by court order or otherwise restricted have been removed to series 14156, MISCELLANEOUS CASE FILES (RESTRICTED) (1940#1992). Cases initiated by the State Tax Commission were alternately filed with the MISCELLANEOUS CASE FILES and the TAX COMMISSION CASE FILES (1963#1974), series 14160, and the CIVIL CASE FILES (1896#present), series 1622. Beginning in 1993, the clerk began incorporating all cases formerly designated as miscellaneous cases into the CIVIL CASE FILES.

**CUSTODY HISTORY:** The Salt Lake County Clerk was constitutionally designated as ex-officioclerk of Third District Court in and for Salt Lake County until 1989 when the state assumed full financial and administrative responsibility for the district court. At that time a new court clerk was appointed. The county/district court clerk first transferred a few miscellaneous cases to the state archives in 1968 while the district court clerk transferred another 24 cubic feet in 1992.

**PROCESSING NOTE:** Case files were designated as a permanent record by Records Disposition Request 67-8, which also authorized microfilming and destruction of the original records. The records retention policy of the Utah Judicial Council reprinted in the 1983 state retention schedule first specified a nine-year retention before microfilming. Microfilming for reference use was done in 1973 and 1998. These records were archivally processed by W. Glen Fairclough, Jr., in 1994.

**GAPS IN THE SERIES:** February 1977 to January 1980, with the exception of eight cases from late 1979.

## CONTAINER LIST

Reel	Description	Dates
1	No numbers	1963#1969, 1974#1977
1	1-44 to 1-168	1925#1962
2	2-91 to 2-130	1949#1961
3	2-131 to 2-147	1962
4	3-13 to 3-151	1963#1966
4	No numbers, book 4	1968#1969
4	4-1 to 4-11(cont)	1966
5	4-11(cont) to 4-79(cont)	1966#1969
6	4-79(cont) to 4-89	1969#1970
7	5-1 to 5-124	1969#1973
8	5-125 to 5-191	1973#1974
9	5-192 to 5-265	1974#1976
10	5-266 to 5-310	1976#1977
10	77-1 to 77-155	1977
10	78-79	1978
10	79-169 to 79-217	1979
10	79-218 to 79-223	1979
10	80-2 to 80-97	1980
10	81-1 to 81-50	1981
11	81-51 to 81-91	1981
11	82-1 to 82-49	1982
12	82-50 to 82-75	1982
13	82-76 to 82-136	1982
13	83-1 to 83-23(cont)	1983
14	83-23(cont) to 83-130	1983
15	83-131 to 83-166	1983
15	84-1 to 84-88	1984
16	84-89 to 84-122	1984
16	85-1 to 85-89	1985
17	85-90 to 85-147	1985
17	86-1 to 86-51	1986
17	86-52 to 86-70(cont)	1986
18	86-70(cont) to 86-152	1986
18	87-1 to 87-51	1987

<b>Reel</b>	<b>Description</b>	<b>Dates</b>
19	87-52 to 87-152	1987
19	88-1 to 88-50	1988
20	88-51 to 88-140	1988